

107TH CONGRESS  
2D SESSION

# S. 3107

To improve the security of State-issued driver's licenses, enhance highway safety, verify personal identity, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 10, 2002

Mr. DURBIN (for himself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To improve the security of State-issued driver's licenses, enhance highway safety, verify personal identity, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Driver’s License Fraud  
5       Prevention Act”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) The State-issued driver’s license is the most  
9       widely used form of personal identification in the

1 United States. Across the Nation, countless law en-  
2 forcement agencies, retailers, financial institutions,  
3 transportation agencies and carriers, and employers  
4 acknowledge the presentation of a State-issued driv-  
5 er's license as an acceptable and reliable method of  
6 identity verification.

7 (2) The licensing of drivers in the United  
8 States has historically varied widely, with no na-  
9 tional or agreed upon State standards for content or  
10 format for licenses, or for procedures for the  
11 issuance of licenses. The differences among States in  
12 the issuance process and the levels of security of the  
13 license have created problems of national concerns.  
14 Terrorist organizations, including al Qaeda  
15 operatives involved in the attacks of September 11,  
16 2001, have exploited these differences. Without uni-  
17 form standards and procedures for the issuance of  
18 driver's licenses, driver's licenses can be obtained  
19 using fraudulent identity and residency documents,  
20 and driver's licenses can often be easily counter-  
21 feited.

22 (3) As a result of the Commercial Motor Vehi-  
23 cle Safety Act of 1986 and the regulations promul-  
24 gated pursuant to that Act, commercial drivers are  
25 no longer able to legally obtain multiple commercial

1 licenses. However, no similar system is in place to  
2 ensure one driver, one driver's license, one driving  
3 record for each driver of a noncommercial motor ve-  
4 hicle. A one driver, one license, one driving record  
5 system ensures that States can better identify prob-  
6 lem drivers, strengthen licensing processes, increase  
7 licensing security, reduce licensing fraud, and im-  
8 prove monitoring of a driver's performance.

9 (4) Highway safety is at risk when problem  
10 drivers apply for, obtain, and use multiple licenses  
11 issued under different identities, or by different  
12 States, in order to hide their driving convictions.  
13 Protection of highway safety by law enforcement and  
14 driver licensing personnel would benefit from an im-  
15 proved information system that permits ready identi-  
16 fication of individuals holding fraudulent driver's li-  
17 censes.

18 (5) Identity theft is one of the fastest growing  
19 societal problems. According to the Federal Trade  
20 Commission, identity theft was the top consumer  
21 fraud problem of 2001, and it continues to cost  
22 American consumers and businesses billions of dol-  
23 lars in losses.

24 (6) While the issuance of driver's licenses is un-  
25 equivocally a power of the States, the Federal Gov-

1        ernment can work cooperatively with the States in  
2        crafting solutions to curtail future abuse of driver's  
3        licenses, improve the security of driver's licenses,  
4        and prevent problem drivers from obtaining multiple  
5        licenses to hide convictions, without developing a na-  
6        tional identification system or card.

7    **SEC. 3. PURPOSES.**

8        The purposes of this Act are as follows:

9            (1) To prevent the issuance or procurement of  
10        a State-issued driver's license through fraud.

11          (2) To assist the States in improving their  
12        processes for the issuance of motor vehicle driver's  
13        licenses without affecting any State's authority to  
14        make a determination of who is eligible to obtain a  
15        driver's license in such State.

16          (3) To prevent the issuance of multiple driver's  
17        licenses to the same individual.

18          (4) To prevent the manufacture, distribution,  
19        marketing, sale, procurement, or use of altered or  
20        counterfeit driver's licenses.

21          (5) To establish minimum security features for  
22        driver's licenses.

23          (6) To ensure that a driver's privacy and con-  
24        fidential information are protected.

1 **SEC. 4. DEFINITIONS.**

2 (a) DEFINITIONS.—In this Act:

3 (1) NATIONAL DRIVER REGISTER.—The term  
4 “National Driver Register” means the information  
5 system established under section 30302 of title 49,  
6 United States Code.

7 (2) COMMERCIAL DRIVER’S LICENSE INFORMA-  
8 TION SYSTEM.—The term “Commercial Driver’s Li-  
9 cense Information System” means the information  
10 system administered under section 31309 of such  
11 title.

12 (3) DRIVER’S LICENSE.—The term “driver’s li-  
13 cense” has the meaning given such term in section  
14 30301(5) of such title, as amended by subsection  
15 (b)(1).

16 (b) AMENDMENTS FOR CHAPTER 303.—

17 (1) DRIVER’S LICENSE.—

18 (A) DEFINITION.—Section 30301(5) of  
19 title 49, United States Code, is amended by  
20 striking “‘motor vehicle operator’s license’”  
21 and inserting “‘driver’s license’”.

22 (B) CONFORMING AMENDMENTS.—Chapter  
23 303 of such title is amended—

24 (i) by striking “motor vehicle opera-  
25 tor’s license” each place it appears and in-  
26 serting “driver’s license”; and

1 (ii) in section 30305(b)(6), by striking  
 2 “motor vehicle operator’s licenses” and in-  
 3 serting “driver’s licenses”.

4 (2) NEW DEFINITIONS.—Section 30301 of title  
 5 49, United States Code, is amended by adding at  
 6 the end the following new paragraphs:

7 “(9) ‘Commercial driver’s license’ has the  
 8 meaning given that term in section 31301 of this  
 9 title.

10 “(10) ‘Identification card’ means an identifica-  
 11 tion card issued to an individual by a State through  
 12 its chief driver licensing official.”.

13 (c) AMENDMENT FOR CHAPTER 313.—Section  
 14 31301(6) of title 49, United States Code, is amended to  
 15 read as follows:

16 “(6) ‘driver’s license’ means a license issued by  
 17 a State authorizing an individual to operate a motor  
 18 vehicle on public streets, roads, or highways.”.

## 19 **TITLE I—FRAUD PREVENTION** 20 **AND CRIMINAL PENALTIES**

### 21 **SEC. 101. UNIQUE IDENTIFIER STUDY.**

22 (a) STUDY.—The Secretary of Transportation shall  
 23 complete an assessment of—

24 (1) the personal information and characteristics  
 25 recorded by the States to identify individuals for

1 purposes of issuing driver's licenses, and the effective-  
2 tiveness of such information and characteristics in  
3 promoting driver's license integrity;

4 (2) potential methods for uniquely identifying  
5 individuals, including using biometric identifiers,  
6 drawing on the research completed by the Federal  
7 Motor Carrier Safety Administration with respect to  
8 drivers of commercial motor vehicles;

9 (3) the cost and practical feasibility of using a  
10 unique identifier to identify drivers nationwide and  
11 the time needed to fully implement such a system;  
12 and

13 (4) the anticipated effects of use of possible  
14 unique identifiers on driver's licenses, specifically,  
15 the effects on driver's license integrity, the use of  
16 the driver's license for identification purposes, per-  
17 sonal privacy, and prevention of identity theft.

18 (b) REPORT.—Not later than 6 months after the date  
19 of enactment of this Act, the Secretary of Transportation  
20 shall submit a report on the results of the assessment re-  
21 quired by subsection (a) to the Committee on Transpor-  
22 tation and Infrastructure of the House of Representatives  
23 and the Committee on Commerce, Science, and Transpor-  
24 tation of the Senate. The report may include any rec-  
25 ommendations that the Secretary considers appropriate.

1 (c) BIOMETRIC IDENTIFIER.—For purposes of this  
 2 section the term “biometric identifier” means a physical  
 3 characteristic or combination of physical characteristics  
 4 that may be used in automated methods of authenticating  
 5 or verifying the identity of an individual.

6 **SEC. 102. NEW REQUIREMENTS AND CRIMINAL PENALTIES.**

7 (a) REDESIGNATION.—Chapter 303 of title 49,  
 8 United States Code, is amended by redesignating sections  
 9 30306, 30307, and 30308 as sections 30311, 30312, and  
 10 30315, respectively.

11 (b) REQUIREMENTS AND PENALTIES.—Chapter 303  
 12 of such title is further amended by—

13 (1) inserting after section 30305 the following  
 14 new sections:

15 **“§ 30306. Minimum identification requirements**

16 “The Secretary of Transportation, in consultation  
 17 with the chief driver licensing official of each participating  
 18 State and any organization that represents the interests  
 19 of the States determined appropriate by the Secretary,  
 20 shall prescribe regulations under subchapter III of chapter  
 21 5 of title 5 that set forth minimum standards for proc-  
 22 essing driver’s license and identification card applications,  
 23 including proof of the identity of an applicant for a driv-  
 24 er’s license or identification card, that shall be applied uni-  
 25 formly by the participating States. Such regulations—



1           “(1) may authorize the chief driver licensing of-  
 2           ficial of a State to communicate with an appropriate  
 3           official of a Federal agency to verify the authenticity  
 4           of documents presented to prove the identity of an  
 5           individual issued by such Federal agency;

6           “(2) may not directly or indirectly infringe on  
 7           a State’s power to set eligibility criteria for obtain-  
 8           ing a driver’s license or identification card from that  
 9           State; and

10          “(3) may not require a State to comply with  
 11          any such regulation that conflicts with or otherwise  
 12          interferes with the full enforcement of such eligibility  
 13          criteria by the State.

14   **“§ 30307. Security of driver’s licenses**

15          “(a) LICENSE SECURITY.—The Secretary of Trans-  
 16          portation, in consultation with the chief driver licensing  
 17          official of each participating State, organizations that pre-  
 18          scribe or recommend security standards, security experts,  
 19          and other interested parties, shall prescribe regulations  
 20          under subchapter III of chapter 5 of title 5 that set out  
 21          the minimum security standards that shall be applied by  
 22          a participating State to prevent fraud in the issuance or  
 23          use of a driver’s license or identification card. Such regula-  
 24          tions may not—

1 “(1) directly or indirectly infringe on a State’s  
2 power to set eligibility criteria for obtaining a driv-  
3 er’s license or identification card from that State;  
4 and

5 “(2) require a State to comply with any such  
6 regulation that conflicts with or otherwise interferes  
7 with the full enforcement of such eligibility criteria  
8 by the State.

9 “(b) MINIMUM SECURITY STANDARDS.—The min-  
10 imum security standards prescribed under subsection (a)  
11 shall—

12 “(1) provide that driver’s licenses and identi-  
13 fication cards—

14 “(A) be resistant to tampering or altering;

15 “(B) be resistant to counterfeiting; and

16 “(C) be designed to accommodate a unique  
17 identifier if the Secretary of Transportation  
18 finds, in the assessment conducted under sec-  
19 tion 101 of the Driver’s License Fraud Preven-  
20 tion Act, that there is a need to require a na-  
21 tionwide unique identifier system; and

22 “(2) require a State to confiscate a driver’s li-  
23 cense or identification card if any component or se-  
24 curity feature of the license or identification card is  
25 compromised.

1   **“§ 30308. License issuance prohibitions**

2           “The chief driver licensing official of each State shall  
3 prohibit the issuance of a driver’s license from that  
4 State—

5           “(1) to an individual who holds a currently  
6 valid driver’s license issued by that State or by an-  
7 other State, other than a driver’s license being sur-  
8 rendered in connection with the issuance of the new  
9 driver’s license; and

10           “(2) to an individual during a period in which  
11 the individual is disqualified from operating a motor  
12 vehicle or the individual’s driver’s license is revoked,  
13 suspended, or canceled in any State.

14   **“§ 30309. State audits**

15           “(a) IN GENERAL.—The chief driver licensing official  
16 of each participating State shall conduct an audit of the  
17 processes that the State uses to issue driver’s licenses and  
18 identification cards to determine the State’s compliance  
19 with the requirements of this chapter and the effectiveness  
20 of the audited processes for preventing the procurement  
21 of driver’s licenses and identification cards from the State  
22 through fraud.

23           “(b) REGULATIONS.—The Secretary of Transpor-  
24 tation shall prescribe regulations setting forth the manner  
25 in which the audits required by subsection (a) shall be con-  
26 ducted. Such regulations shall include methods to identify

1 the functions that are susceptible to fraudulent activity,  
2 methods to detect such activities, and procedures and tools  
3 for preventing fraud.

4 “(c) PERIODIC REVIEWS.—The Secretary of Trans-  
5 portation shall conduct periodic reviews of State proce-  
6 dures to ensure compliance with the terms of this chapter  
7 and the regulations issued pursuant to this chapter and  
8 to provide recommendations to the States for improving  
9 driver license issuance processes and preventing fraud.

10 **“§ 30310. Interstate agreements**

11 “(a) DRIVER LICENSE AGREEMENT.—The Secretary  
12 of Transportation shall assist participating States in de-  
13 veloping a Driver License Agreement for use to ensure full  
14 reciprocity among participating States on all issues related  
15 to driver’s licenses and maintenance of driving records.

16 “(b) PURPOSE.—The Driver License Agreement shall  
17 promote highway safety by facilitating the sharing of driv-  
18 er’s license information and conviction records among the  
19 States.

20 “(c) GRANTS.—The Secretary of Transportation is  
21 authorized to award grants to States or other appropriate  
22 entities to facilitate the development of the Driver License  
23 Agreement or assist a State in meeting the requirements  
24 of such Agreement.

1 “(d) REQUIREMENT FOR PARTICIPATION.—To be a  
 2 participating State, a State shall enter into and comply  
 3 with the Driver License Agreement developed under sub-  
 4 section (a).”; and

5 (2) inserting after section 30312, as redesign-  
 6 nated by subsection (a), the following new sections:

7 **“§ 30313. Criminal penalties for fraudulent issuance,**  
 8 **renewal, upgrade, or transfer of driver’s**  
 9 **license**

10 “Any person who knowingly issues, obtains, or facili-  
 11 tates the issuance, renewal, upgrade, transfer, or obtain-  
 12 ing of, a driver’s license (including any commercial driver’s  
 13 license, or an endorsement for a commercial driver’s li-  
 14 cense) or identification card, or attempts to do so, know-  
 15 ing the license or endorsement to have been wrongfully  
 16 issued or obtained, or issued, renewed, upgraded, trans-  
 17 ferred, or obtained through the submission of false infor-  
 18 mation or the intentional withholding of required informa-  
 19 tion is guilty of a Class E felony punishable by a fine,  
 20 imprisonment, or both, as provided in title 18.

21 **“§ 30314. Grants for pilot programs**

22 “(a) IN GENERAL.—The Secretary of Transportation  
 23 is authorized to award grants to a participating State to  
 24 enable the participating State to implement innovative  
 25 programs to verify driver identity, prevent fraud in the

1 procurement of driver’s licenses, and demonstrate the use  
 2 of technology to create tamper resistant, secure driver’s  
 3 licenses.

4 “(b) INNOVATIVE PROGRAMS.—The innovative pro-  
 5 grams referred to in subsection (a) may include a program  
 6 to make new data sources available for identity  
 7 verification, a program to conduct audits to prevent or de-  
 8 tect employee fraud, and a program for the issuance of  
 9 driver and identity documents with high security features  
 10 that improve the integrity of the State driver’s licenses  
 11 and identification cards.

12 “(c) FEDERAL SHARE.—The Federal share of the  
 13 cost of activities funded using amounts from a grant re-  
 14 ceived by a participating State under this section shall be  
 15 not less than 80 percent.”.

16 **SEC. 103. CRIMINAL PENALTIES UNDER TITLE 18, UNITED**  
 17 **STATES CODE.**

18 (a) CRIMINAL PENALTIES FOR UNAUTHORIZED USE  
 19 OF STATE MOTOR VEHICLE RECORDS.—Title 18, United  
 20 States Code, is amended—

21 (1) in section 2721—

22 (A) in subsection (b)—

23 (i) in paragraph (3), by striking “For  
 24 use” and all that follows through the pe-  
 25 riod at the end and inserting the following:

1           “For use by a person, firm, or corporation  
2           that is in possession of personal informa-  
3           tion, but has reason to believe that such  
4           personal information, as submitted, is not  
5           correct, only for the purpose of preventing  
6           fraud by—

7           “(A) pursuing legal remedies against the  
8           individual; or

9           “(B) recovering on a debt or security inter-  
10          est against the individual.”;

11                 (ii) by striking paragraph (8);

12                 (iii) in paragraph (9), by striking  
13           “For use” and all that follows through the  
14           period at the end and inserting “For use  
15           by an employer or the agent or insurer of  
16           an employer to obtain or verify information  
17           relating to employment of an individual.”;

18                 (iv) by striking paragraph (12);

19                 (v) by striking paragraph (14); and

20                 (vi) by renumbering paragraphs (9),  
21           (10), (11), and (13) as paragraphs (8),  
22           (9), (10), and (11), respectively; and

23           (B) in subsection (e), by striking “18  
24           U.S.C. 2725(1)” and inserting “paragraph (1)  
25           or (6) of section 2725”;

1           (2) in section 2722, by striking “or disclose”  
2           and inserting “, disclose, or use”; and

3           (3) in section 2725—

4                 (A) in paragraph (1), by striking “any  
5                 record” and all that follows through the semi-  
6                 colon and inserting “any record, including an  
7                 electronic record, as defined in section 106(4)  
8                 of the Electronic Signatures in Global and Na-  
9                 tional Commerce Act (15 U.S.C. 7006(4)), that  
10                pertains to, or is contained in, a motor vehicle  
11                operator’s permit or driver’s license, including  
12                data stored in a machine-readable format on  
13                the driver’s license card, motor vehicle title,  
14                motor vehicle registration, or identification card  
15                issued by a department of motor vehicles or the  
16                chief driver licensing official of a State;”;

17                (B) in paragraph (3), by striking “infor-  
18                mation that” and all that follows through the  
19                period at the end and inserting “information  
20                that identifies an individual, including an indi-  
21                vidual’s photograph or image, biometric identi-  
22                fication data, including digital facial images, or  
23                other electronic identification information, so-  
24                cial security number, driver identification num-  
25                ber, name, address (but not the zip code), tele-



1 phone number, medical or disability informa-  
2 tion, birth date, information on physical charac-  
3 teristics, including height, weight, sex, hair  
4 color, and eye color, and any physical copy of  
5 a driver's license, but not including information  
6 on vehicular accidents, driving or equipment-re-  
7 lated violations, dispositions by any court or ad-  
8 ministrative body, and driver's license or reg-  
9 istration status;"

10 (C) in paragraph (4)—

11 (i) by inserting "biometric identifica-  
12 tion data," after "image,"; and

13 (ii) by striking "; and" at the end,  
14 and inserting ", birth date, information on  
15 physical characteristics, including height,  
16 weight, sex, hair color, and eye color, and  
17 any physical copy of a driver's license;"

18 (D) in paragraph (5), by striking the pe-  
19 riod at the end and inserting a semicolon; and

20 (E) by adding at the end the following:

21 "(6) 'biometric identification data' means phys-  
22 ical characteristics that may be used in automated  
23 methods of authenticating or verifying the identity  
24 of an individual; and

1           “(7) ‘chief driver licensing official’ has the  
2           meaning given that term in section 30301(2) of title  
3           49, United States Code.”.

4           (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
5           Section 2721 of title 18, United States Code, is  
6           amended—

7           (1) in subsection (a)(2), by striking “in sub-  
8           sections (b)(1), (b)(4), (b)(6), and (b)(9): *Provided*,  
9           That” and inserting the following: “in paragraphs  
10          (1), (4), (6), and (8) of subsection (b), provided  
11          that”; and

12          (2) in subsection (c)—

13               (A) by striking “subsection (b)(11)” each  
14               place that term appears and inserting “sub-  
15               section (b)(10)”;

16               (B) by striking “or (12)” each place that  
17               term appears; and

18               (C) by striking “An authorized recipient  
19               under subsection (b)(12) may resell or redis-  
20               close personal information pursuant to sub-  
21               section (b)(12).”.

22          (c) ENHANCED PENALTIES FOR INTERNAL  
23          FRAUD.—Chapter 25 of title 18, United States Code, is  
24          amended by adding at the end the following:

1   **“§ 515. Unauthorized use of State motor vehicle agen-**  
 2                   **cy equipment**

3           “Any person who uses or provides access to records,  
 4 equipment, or software that is owned or controlled by a  
 5 State motor vehicle agency to manufacture driver’s li-  
 6 censes or State identification cards without express au-  
 7 thorization from such agency shall be guilty of a class C  
 8 felony punishable by a fine, imprisonment, or both as pro-  
 9 vided by this title.”.

10   **SEC. 104. CLERICAL AMENDMENTS.**

11           (a) TITLE 18, UNITED STATES CODE.—The table of  
 12 sections at the beginning of chapter 25 of title 18, United  
 13 States Code, is amended by inserting after the item relat-  
 14 ing to section 514 the following:

“515. Unauthorized use of State motor vehicle agency equipment.”.

15           (b) TITLE 49, UNITED STATES CODE.—

16                   (2) CHAPTER 303 TABLE OF SECTIONS.—The  
 17 table of sections at the beginning of chapter 303 of  
 18 such title is amended to read as follows:

- “30301. Definitions.
- “30302. National Driver Register.
- “30303. State participation.
- “30304. Reports by chief driver licensing officials.
- “30305. Access to Register information.
- “30306. Minimum identification requirements.
- “30307. Security of driver’s licenses.
- “30308. License issuance prohibitions.
- “30309. State audits.
- “30310. Interstate agreements.
- “30311. National Driver Register Advisory Committee.
- “30312. Criminal penalties.
- “30313. Criminal penalties for fraudulent issuance, renewal, upgrade, or trans-  
   fer of driver’s license.

“30314. Grants for pilot programs.  
 “30315. Authorization of appropriations.”.

# 1 **TITLE II—DRIVER RECORD IN-** 2 **FORMATION VERIFICATION** 3 **SYSTEM**

## 4 **SEC. 201. CONSOLIDATION OF THE NATIONAL DRIVER REG-** 5 **ISTER AND THE COMMERCIAL DRIVER’S LI-** 6 **CENSE INFORMATION SYSTEM.**

7 (a) REQUIREMENT TO CONSOLIDATE SYSTEMS.—  
 8 The Secretary of Transportation shall consolidate the Na-  
 9 tional Driver Register, the Commercial Driver’s License  
 10 Information System, and information on all licensed driv-  
 11 ers required by the amendments made by this Act into  
 12 a new Driver Record Information Verification System that  
 13 is administered under chapter 303 of title 49, United  
 14 States Code, as amended by this Act.

15 (b) PURPOSE.—Except as otherwise provided in sec-  
 16 tions 30305 and 31106 of title 49, United States Code,  
 17 the Driver Record Information Verification System shall  
 18 provide States with instant and reliable access to driver  
 19 information for the purposes of—

20 (1) ensuring that an operator of a motor vehicle  
 21 has not been issued more than one State-issued driv-  
 22 er’s license that is valid at any one time;

23 (2) verifying the authenticity of a State-issued  
 24 driver’s license;

1           (3) accurately posting convictions and driver's  
2           license withdrawal actions to the proper driver his-  
3           tory record; and

4           (4) ascertaining the status and history of driv-  
5           er's license suspensions, revocations, or cancellations  
6           and convictions for driving-related offenses.

7           (c) TIME FOR COMPLETION.—The Secretary shall  
8           complete the actions required under subsection (a) not  
9           later than the effective date provided in section 401.

10          (d) REGULATIONS.—The Secretary of Transportation  
11         shall prescribe regulations that—

12           (1) provide for an orderly transition from the  
13           National Driver Register to the Driver Record Infor-  
14           mation Verification System; and

15           (2) require participating States under section  
16           30303 of title 49, United States Code, to comply  
17           with all requirements under the National Driver  
18           Register during the transition period.

19         **SEC. 202. STATE PARTICIPATION IN THE DRIVER RECORD**  
20                 **INFORMATION VERIFICATION SYSTEM.**

21           Section 30303 of title 49, United States Code, is  
22         amended—

23           (1) in subsection (a), by inserting before the pe-  
24           riod at the end the following: “and the regulations

1 prescribed under sections 30306 and 30307 of this  
2 title”; and

3 (2) by adding at the end the following:

4 “(d) GRANTS.—

5 “(1) AUTHORITY.—The Secretary of Transpor-  
6 tation is authorized to award a grant to each partici-  
7 pating State, or to any entity designated by an offi-  
8 cial of a State determined appropriate by the Sec-  
9 retary or such an official of each of two or more  
10 States, to assist the State or States in developing  
11 and implementing the Driver Record Information  
12 Verification System described in section 30302 of  
13 this title.

14 “(2) APPLICATIONS.—A State or an entity  
15 seeking a grant under this subsection shall submit to  
16 the Secretary an application that is in such form  
17 and contains such information as the Secretary may  
18 require. The Secretary shall evaluate applications in  
19 the order received and award a grant upon approval  
20 of the application for the grant.

21 “(3) FEDERAL SHARE.—The Federal share of  
22 the cost of activities funded using amounts from a  
23 grant received by, or on behalf of, a State under this  
24 subsection shall be not less than 80 percent.”.

1 **SEC. 203. REDESIGNATION OF INFORMATION SYSTEM.**

2 (a) REDESIGNATION OF NATIONAL DRIVER REG-  
 3 ISTER.—The National Driver Register established under  
 4 section 30302 of title 49, United States Code, is redesign-  
 5 nated as the “Driver Record Information Verification Sys-  
 6 tem”.

7 (b) REFERENCE TO SYSTEM.—Any reference to the  
 8 National Driver Register in any law, regulation, docu-  
 9 ment, record, or other paper of the United States shall  
 10 be considered to be a reference to the Driver Record Infor-  
 11 mation Verification System.

12 (c) CONFORMING AMENDMENTS TO TITLE 49.—

13 (1) CHAPTER HEADING.—The heading for  
 14 chapter 303 of title 49, United States Code, is  
 15 amended to read as follows:

16 **“CHAPTER 303—DRIVER RECORD**  
 17 **INFORMATION VERIFICATION SYSTEM”.**

18 (2) REFERENCES IN TEXT.—

19 (A) CHAPTER 303.—Chapter 303 of such  
 20 title is amended—

21 (i) by striking “National Driver Reg-  
 22 ister” in sections 30301(6), 30302(a),  
 23 30303(b), 30304(e), 30305(b)(2),  
 24 30305(b)(8), 30306(a), and 30306(b)(1)  
 25 and inserting “Driver Record Information  
 26 Verification System”;

1 (ii) by striking “National Driver Reg-  
 2 ister’s” each place it appears in section  
 3 30302(e) and inserting “Driver Record In-  
 4 formation Verification System’s”;

5 (iii) by striking “Register” each place  
 6 it appears in sections 30302, 30305, and  
 7 30306 and inserting “Driver Record Infor-  
 8 mation Verification System”;

9 (iv) by striking the heading for section  
 10 30302 and inserting the following:

11 **“§ 30302. Driver Record Information Verification Sys-**  
 12 **tem”;**

13 (v) in the heading for section 30305,  
 14 by striking **“Register”**;

15 (vi) in the heading for section 30311  
 16 (as redesignated by section 102(a)), by  
 17 striking **“National Driver Register”**  
 18 and inserting **“Driver Record Infor-**  
 19 **mation Verification System”**;

20 (vii) by striking the heading for sec-  
 21 tion 30312 (as redesignated by section  
 22 102(a)) and inserting the following:



1 **“§ 30312. Criminal penalties for misuse of informa-**  
 2 **tion”;**

3 (viii) in paragraph (1) of section  
 4 30312(a) (as redesignated by section  
 5 102(a)), by striking “specified in section  
 6 30304(b)(1)(A) or (C)” and inserting  
 7 “contained in a record of the Driver  
 8 Record Information Verification System  
 9 under section 30302”;

10 (ix) in paragraph (2) of section  
 11 30312(a), by striking “section 30305” and  
 12 inserting “section 30304 or 30305”; and

13 (x) in subsection (b) of section 30312,  
 14 by striking “specified in section  
 15 30304(b)(1)(A) or (C) of this title from a  
 16 person receiving the information under sec-  
 17 tion 30305” and inserting “indexed in the  
 18 Driver Record Information Verification  
 19 System under section 30302 from a person  
 20 receiving the information under section  
 21 30304 or 30305”.

22 (B) CHAPTER 313.—Chapter 313 of such  
 23 title is amended—

24 (i) by adding at the end of section  
 25 31301 the following new paragraph:

1           “(15) ‘Driver Record Information Verification  
2       System’ means the information system maintained  
3       by the Secretary of Transportation under chapter  
4       303 of this title.”;

5                       (ii) in section 31309(a), by striking  
6                       “The Secretary of Transportation shall  
7                       maintain an information system that will”  
8                       and inserting “The Driver Record Infor-  
9                       mation Verification System shall”;

10                      (iii) in paragraphs (5), (7), and (8) of  
11                      section 31311(a), by striking “information  
12                      system under section 31309 of this title, as  
13                      the case may be,” and inserting “Driver  
14                      Record Information Verification System”;  
15                      and

16                      (iv) in paragraph (16)(A) of section  
17                      31311(a), by striking “National Driver  
18                      Register maintained under chapter 303 of  
19                      this title (after the Secretary decides the  
20                      Register is operational)” and inserting  
21                      “Driver Record Information Verification  
22                      System”.

1 **SEC. 204. OPERATION OF THE DRIVER RECORD INFORMA-**  
2 **TION VERIFICATION SYSTEM.**

3 (a) IN GENERAL.—Subsection (a) of section 30302  
4 of title 49, United States Code, is amended—

5 (1) in the second sentence, by striking “section  
6 30304 of this title” and inserting “sections 30304  
7 and 31309 of this title, or reported under section  
8 30308 of this title by an organization described in  
9 subsection (f)(1)”;

10 (2) in the third sentence, by striking “(elec-  
11 tronically or, until all States can participate elec-  
12 tronically, by United States mail)—” and inserting  
13 “to electronically—”; and

14 (3) by striking paragraphs (1) through (4) and  
15 inserting the following:

16 “(1) receive information submitted under sec-  
17 tion 30304, 30308, or 31309 of this title;

18 “(2) receive a request for information under  
19 section 30304(e), 30305, or 31309 of this title;

20 “(3) if appropriate, refer the request to the  
21 chief driver licensing official of a State of record;

22 “(4) if appropriate, relay information provided  
23 by a chief driver licensing official of a State of  
24 record or by any organization described in sub-  
25 section (f)(1) to the chief driver licensing official of

1 a participating State in response to the request,  
 2 without interception of the information; and

3 “(5) respond to requests under section  
 4 30304(e) or 31309(a) of this title.”.

5 (b) CORRECTION OF ERRONEOUS INFORMATION.—  
 6 Subsection (c) of such section is amended by striking “(c)  
 7 TRANSITION FROM PRIOR REGISTER.—” and all that fol-  
 8 lows through “(3)” at the beginning of paragraph (3) and  
 9 inserting the following:

10 “(c) CORRECTION OF ERRONEOUS INFORMA-  
 11 TION.—”.

12 (c) FEES.—Subtitle VI of title 49, United States  
 13 Code, is amended—

14 (1) by redesignating subsection (e) of section  
 15 30302 as subsection (f); and

16 (2) by redesignating subsection (d) of section  
 17 31309 as subsection (e), transferring such sub-  
 18 section (as so redesignated) to section 30302, and  
 19 inserting such subsection after subsection (d).

20 **SEC. 205. REPORTING OF INFORMATION TO THE DRIVER**  
 21 **RECORD INFORMATION VERIFICATION SYS-**  
 22 **TEM.**

23 Section 30304 of title 49, United States Code, is  
 24 amended—

1           (1) by striking subsection (e) and inserting the  
2           following:

3           “(e) DRIVER RECORD INQUIRY.—Before issuing a  
4           driver’s license to an individual or renewing such a license,  
5           the chief driver licensing official of a participating State  
6           shall, through the Driver Record Information Verification  
7           System under section 30302—

8           “(1) verify that the individual applying for a  
9           driver’s license does not hold a currently valid driv-  
10          er’s license (other than one being surrendered in  
11          connection with the issuance of the driver’s license  
12          applied for);

13          “(2) verify that any driver’s license the indi-  
14          vidual surrenders in connection with the issuance the  
15          driver’s license applied for is valid and is not sus-  
16          pended, revoked, or canceled; and

17          “(3) request information about the motor vehi-  
18          cle driving record of the individual from the chief  
19          driver licensing official of a State of record.”; and

20          (2) by adding at the end the following new sub-  
21          section:

22          “(f) OTHER RECORDS.—

23          “(1) IN GENERAL.—Notwithstanding any other  
24          provision of law, the Secretary of Transportation  
25          shall prescribe regulations under subchapter III of

1 chapter 5 of title 5 that require the chief driver li-  
 2 censing official of each participating State to submit  
 3 or make available information through the Driver  
 4 Record Information Verification System that will as-  
 5 sist the chief driver licensing official of a partici-  
 6 pating State in—

7 “(A) preventing the issuance of multiple  
 8 driver’s licenses to an individual; and

9 “(B) timely posting to an individual’s driv-  
 10 ing record information regarding a conviction  
 11 for an offense described in described in sub-  
 12 section (a)(3) that was adjudicated in another  
 13 State.

14 “(2) REQUIRED INFORMATION.—The informa-  
 15 tion required from the chief driver licensing official  
 16 in a participating State under paragraph (1) shall  
 17 include—

18 “(A) information that facilitates accurate  
 19 identification of each individual holding a driv-  
 20 er’s license issued by the State; and

21 “(B) the driving record maintained by that  
 22 State for each individual holding a driver’s li-  
 23 cense issued by the State.”.

1 **SEC. 206. ACCESS TO THE DRIVER RECORD INFORMATION**  
 2 **VERIFICATION SYSTEM.**

3 (a) IN GENERAL.—Section 30305 of title 49, United  
 4 States Code, is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “refer,  
 7 electronically or by United States mail,” and in-  
 8 serting “electronically refer”; and

9 (B) in paragraph (2)—

10 (i) by striking “relay, electronically or  
 11 by United States mail,” and inserting  
 12 “electronically relay”; and

13 (ii) by striking “section 30304” and  
 14 inserting “section 30304, 30306, or  
 15 30307”; and

16 (2) in subsection (b), by adding at the end, the  
 17 following new paragraph:

18 “(12) For the purposes of administering or ensuring  
 19 compliance with the provisions of this chapter or regula-  
 20 tions issued pursuant to this chapter, any law enforcement  
 21 agency, in carrying out its functions, may request the chief  
 22 driver licensing official of a State to provide information  
 23 under subsection (a) of this section about an individual  
 24 to such agency.”.

25 (b) STATE ACCESS.—The Secretary of Transpor-  
 26 tation shall ensure that, not later than 5 years after the

1 date of enactment of this Act, the chief driver licensing  
 2 official of each participating State is able to access all  
 3 records in the Driver Record Information Verification Sys-  
 4 tem.

5 **SEC. 207. ADDITIONAL CLERICAL AMENDMENTS TO TITLE**  
 6 **49, UNITED STATES CODE.**

7 (a) TITLE 49, UNITED STATES CODE.—

8 (1) SUBTITLE VI TABLE OF CONTENTS.—The  
 9 table of contents at the beginning of subtitle VI of  
 10 title 49, United States Code, is amended by striking  
 11 the item relating to chapter 303 and inserting the  
 12 following:

“303. DRIVER RECORD INFORMATION VERIFICATION SYS-  
 TEM ..... 30301”.

13 (2) CHAPTER 303 TABLE OF SECTIONS.—The  
 14 table of sections at the beginning of chapter 303 of  
 15 such title is amended—

16 (A) by striking the item relating to section  
 17 30302 and inserting the following:

“30302. Driver Record Information Verification System.”;

18 (B) by striking the item relating to section  
 19 30305 and inserting the following:

“30305. Access to information.”;

20 and



1 (C) by striking the items relating to sec-  
 2 tions 30311 and 30312 and inserting the fol-  
 3 lowing:

“30311. Driver Record Information Verification System Advisory Committee.  
 “30312. Criminal penalties for misuse of information.”.

4 (3) CHAPTER 313 TABLE OF SECTIONS.—The  
 5 table of sections at the beginning of chapter 313 of  
 6 such title is amended by striking the item relating  
 7 to section 31309 and inserting the following:

“31309. Commercial driver licenses: compilation of information.”.

8 **TITLE III—PROHIBITION OF SO-**  
 9 **CIAL SECURITY NUMBERS ON**  
 10 **MOTOR VEHICLE RECORDS**

11 **SEC. 301. PROHIBITION OF SOCIAL SECURITY NUMBERS ON**  
 12 **MOTOR VEHICLE RECORDS.**

13 (a) IN GENERAL.—Section 205(c)(2)(C)(vi) of the  
 14 Social Security Act (42 U.S.C. 405(c)(2)(C)(vi)) is  
 15 amended—

16 (1) by inserting “(I)” after “(vi)”; and

17 (2) by adding at the end the following:

18 “(II)(aa) An agency of a State (or a political subdivi-  
 19 sion thereof), in the administration of any driver’s license  
 20 or motor vehicle registration law within its jurisdiction,  
 21 may not disclose or display the social security numbers  
 22 issued by the Commissioner of Social Security, or any de-  
 23 rivative of such numbers, on any driver’s license or motor

1 vehicle registration or any other document issued by such  
 2 State (or a political subdivision thereof) to an individual  
 3 for purposes of identification of such individual.

4 “(bb) Nothing in this subclause shall be construed  
 5 as precluding an agency of a State (or a political subdivi-  
 6 sion thereof), in the administration of any driver’s license  
 7 or motor vehicle registration law within its jurisdiction,  
 8 from using a social security number for an internal use,  
 9 from using the social security online verification system  
 10 maintained by the Commissioner of Social Security to  
 11 verify an applicant’s social security number, or from link-  
 12 ing with the database of an agency of another State that  
 13 is responsible for the administration of any driver’s license  
 14 or motor vehicle registration law.”.

15 (b) CONFORMING AMENDMENT.—Paragraph (3)(B)  
 16 of section 31308 of title 49, United States Code, is amend-  
 17 ed by striking “social security account number or other”.

## 18 **TITLE IV—OTHER PROVISIONS**

### 19 **SEC. 401. DELAYED EFFECTIVE DATES.**

20 Titles II (except section 201) and III, and the amend-  
 21 ments made by such titles shall take effect on the date  
 22 that is one year after the date of the enactment of this  
 23 Act.

1 **SEC. 402. FINAL REGULATIONS.**

2       The Secretary of Transportation shall issue final reg-  
3 ulations under sections 30306, 30307, and 30309(b) of  
4 title 49, United States Code (as added by section 102(b)),  
5 not later than one year after the date of enactment of this  
6 Act.

7 **SEC. 403. AUTHORIZATION OF APPROPRIATION.**

8       There are authorized to be appropriated to carry out  
9 the provisions of this Act and the amendments made by  
10 this Act—

11           (1) for fiscal year 2003, \$20,000,000 which  
12 shall remain available until expended, of which  
13 \$10,000,000 shall be available for making grants  
14 under section 30314 of title 49, United States Code  
15 (as added by section 102(b)); and

16           (2) for the fiscal years 2004 through 2007,  
17 \$50,000,000 which shall remain available until ex-  
18 pended.

○